

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Services - Disciplinary proceedings initiated against Sri P.Venkata Rao, the then Deputy City Planner(Retd.), Municipal Corporation, Vijayawada as he has filed to initiate action to prevent the unauthorised construction of apartment buildings in Municipal Corporation, Vijayawada - Enquiry conducted - Further action dropped - Orders - Issued.

=====

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (E1) DEPARTMENT

G.O.Rt.No.477

Date:02-04-2013

Read the following:

1. From G.A.(V&E) Department, Vigilance Report No. 51 (C.No.317/V&E/ D1/2003,dt.30.04.2003.
2. G.O.Ms.No.15, MA&UD (E1) Department, dated 06.01.2005.
3. G.O.Rt.No.36, MA&UD (E1) Department, dated 06.01.2005.
4. From P. Venkat Rao, Dy. C.P.(Retd.), Municipal Corporation, Vijayawada W.S.D, dated.07.11.2005
5. G.O.Rt.No.1056, MA&ID (E1) Department dated 12.07.2005.
6. From Sri G.V.Raghu, the then City Planner, Municipal Corporation, Vijayawada & Enquiry Officer, Lr.Rc.No.14039/2005/G3, dt.05-11-2005.
7. Govt. Memo.No.8761/E1/2003-15, dated 23.01.2006.
8. From P. Venkat Rao, Dy. C.P.(Retd.), Municipal Corporation, Vijayawada explanation, dated 24.03.2006.
9. Govt. Memo.No.8761/E1/2003-20, dated 22.08.2006.
10. O.A.No.5826/2006 filed by Sri P.Venkata Rao, Dy.C.P.(Retd.)
11. From the APAT orders dt.25-01-2010 in O.A.No.5826/2006 filed by Sri P.Venkata Rao, Dy.C.P.(Retd.)
12. Orders of High Court in W.P.No.7363/2009.

ORDER

The General Administration (V&E) Department have inspected the unauthorized construction in Municipal Corporation, Vijayawada and submitted a report to Government.

2. Based on the report of Vigilance & Enforcement, disciplinary proceedings have been instituted against Sri P.Venkata Rao, Dy. City Planner (Retd.), Municipal Corporation, Vijayawada.

3. In the reference 4th read above, the charged officer Sri P.Venkata Rao, Dy. City Planner(Retd.), Municipal Corporation, Vijayawada has submitted written statements of defence and having not satisfied with the statement of defense, Government have appointed Sri G.V.Raghu, the then City Planner, Municipal Corporation, Vijayawada as Enquiry Officer. The Enquiry Officer has submitted enquiry report. The Enquiry Officer in his enquiry report held that out of three charges, two charges are not proved and one charge is proved.

4. Government after examination of the enquiry report, disagreed with the findings of Enquiry Officer and communicated a copy of enquiry report along with disagreement factors to P.Venkata Rao, Dy. City Planner (Retd.), Municipal Corporation, Vijayawada for his written representation on the findings of Enquiry Officer. The charged officer has submitted his explanation on the findings of Enquiry Officer.

.2...

: 2 :

5. Government after examination of the matter and not satisfied with the explanation, it has been proposed to impose punishment of 10% cut in pension permanently against Sri P. Venkata Rao, Dy. City Planner(Retd.), Municipal Corporation, Vijayawada. Accordingly a show cause notice has been issued on the proposed punishment in the reference 9th read above.

Aggrieved by the above proposal, P. Venkata Rao, Dy. City Planner (Retd.), Municipal Corporation, Vijayawada has filed O.A.No.5826/2006 in the Hon'ble APAT. In the reference 11th read above the Hon'ble A.P. Administrative Tribunal in its order dated:25-01-2010 in O.A. No.5826/2006 has passed the order that the charge memo is beyond the limitation of four years period prescribed and hence the charge memo and the consequential proceedings are declared as without jurisdiction and the same are quashed.

Government have examined the orders of APAT and filed Writ Petition No.15295/2010 against the orders of APAT in O.A.No.5826/2006, dt.25-01-2010. In the reference 12th read above, the High Court of Andhra Pradesh has passed the following order.

“As all the charges pertain to the period the 1st respondent served in the Vijayawada Municipal Corporation i.e., during 19-06-2000 to 21-07-2001 and as these charges pertain to a period four years anterior to the date of the charge Memo namely 06.01.2005, the initiation of proceedings under the provisions of the 1980 Rules is clearly beyond the period of limitation specified in Rule 9(2)(b) of the Rules. This is what the Tribunal found and rightly so. The Writ petition is thus misconceived and is accordingly dismissed at the stage of admission, No costs”.

6. Government after examination of the matter and in compliance with the orders of the Hon'ble APAT in O.A.No.5826/2006, dated 25-01-2010 hereby drop further action against Sri P.Venkata Rao, Dy. City Planner(Retd.), Municipal Corporation, Vijayawada.

7. The Director of Town & Country Planning, Hyderabad shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**B.SAM BOB
PRINCIPAL SECRETARY TO GOVERNMENT**

To
Sri P.Venkata Rao, Dy. City Planner (Retd.), Municipal Corporation,
Vijayawada - through Director of Town & Country Planning,
Hyderabad.

The Director of Town & Country Planning, Hyderabad.

Copy to:

The Secretary to Andhra Pradesh Vigilance Commission, Hyderabad.
SF/SC.

//FORWARDED : BY ORDER//

SECTION OFFICER